

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SCOTT L. BAENA, LITIGATION TRUSTEE
OF THE LERNOUT & HAUSPIE SPEECH
PRODUCTS N.V. LITIGATION TRUST

Plaintiff,

- v -

KPMG LLP and KLYNVELD PEAT MARWICK
GOERDELER BEDRIJFSREVISOVEN,

Defendants.

Civil Action No. 04-12606 PBS

KPMG LLP'S LOCAL RULE 16.1(D)(3) CERTIFICATION

Pursuant to Local Rule 16.1(D)(3), the Defendant, KPMG LLP, and its counsel hereby
certify that they have conferred:

(a) with a view to establishing a budget for the cost of conducting the full course -
and various alternative courses - of this litigation; and

(b) to consider the resolution of the litigation through the use of alternative dispute
resolution programs such as those outlined in Local Rule 16.4.

Dated: March 8, 2005

Respectfully Submitted,

KPMG LLP

By: *Simon C. Cochran*
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Certificate of Service

I hereby certify that a true copy of the above document was served upon the attorney of record for each party electronically and by first-class mail on March 8, 2005.

/s/ Kristin G. McGurn